

REMARKS

Summary of Office Action

1. The Examiner objected to the drawings. Appropriate amendment to Claim 33 has been made to eliminate the objection.
2. The Examiner rejected Claim 33 under 35 U.S.C. § 112, first paragraph.
3. Claim 33 was rejected to for failing to comply with the written description requirement. Appropriate amendment to Claim 33 has been made.
4. The Examiner rejected Claims 1-7, 9, 11-19, 31-33, 35-38 and 40-43 under 35 U.S.C. 102.
5. Claims 1-7, 9, 11-17, 32, and 35-38 were rejected under 35 U.S.C. § 102(b) as anticipated by Sergeant.
6. Claims 12-19, 31-33, 35-38, and 40-43 were rejected under 35 U.S.C. § 102(b) as anticipated by Saunders.
7. Claims 1-6, 9, 11-16, 31-32, and 35-38 were rejected under 35 U.S.C. § 102(e) as anticipated by Chasteen et al.

Amendments and Traverse

The Applicants respectfully submit that independent Claims 1, 12, 31 and 33, as amended, are in condition for allowance.

Claim 1 is patentable over the cited references. Claim 1 has been amended to include the limitations of Claim 6. Namely, the folded portion comprises an annular concave bend directly connected to and extending downwardly from the chuckwall and an annular convex bend extending upwardly from the annular concave bend and interconnected to the central panel. Sergeant and Chasteen et al. do not disclose such an arrangement.

The Examiner stated that Figure 3 of Sergeant discloses the limitations of Claim 6. However, Figure 3 of Sergeant discloses a fold (22) having a first end (24) directly connected to the inner wall of the countersink (18) and a second end (26) directly connected to the center

panel (10). Conversely, the folded portion of Claim 1 comprises an annular concave bend directly connected to and extending downwardly from the chuckwall and an annular convex bend extending upwardly from the annular concave bend and interconnected to the central panel. Furthermore, every embodiment of Sergeant shows the fold (22) separated from the chuckwall by some portion of the countersink (18). No part of the fold (22) of Sergeant is directly connected to the chuckwall.

The Examiner also stated that Figure 1 of Chasteen et al. discloses the limitations of Claim 6. First, Chasteen et al. does not disclose a fold. Rather, Chasteen et al. teaches a countersink (8), also commonly referred to as an annular reinforcing bead. Second, an annular convex bend does not extend upwardly from an annular concave bend. Rather, the annular concave bend (8) clearly extends downwardly from the annular convex bend.

Similarly, Claim 12 is patentable over the cited references. Claim 12 has been amended to include a limitation to easy open system. Saunders is absent such a disclosure. Chasteen et al. and Sergeant do not disclose a folded portion extending upwardly along the chuckwall.

The Examiner failed to identify any disclosure within Sergeant that would anticipate Claim 12. Therefore, Claim 12 must be allowable over Sergeant.

The Examiner stated that Figure 2 of Chasteen et al. discloses a folded portion extending upwardly along the chuckwall. First, Figure 2 of Chasteen et al. does not disclose a folded portion. Rather, it discloses a countersink (8). Second, the countersink (8) clearly extends downwardly from the chuckwall rather than upwardly along the chuckwall.

Claim 31 is patentable over the cited references. None of the cited references disclose a fold having a first end portion directly connected to the chuckwall and a second end portion connected to the central panel wherein the easy open can end member is without a countersink. Saunders does not disclose an easy open can end, and Chasteen et al. discloses a countersink (8), also commonly called an annular reinforcing bead.

Attorney Docket No. 400 P 1029 (PA 1281 US)
Application No. 09/931,497

Page 11

Conclusion

In view of the Amendments and Remarks, Applicants respectfully submit that the Claims are in condition for allowance.

Respectfully submitted,

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